

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
May 26, 2009**

**1. Present**

**Commissioners:**

Sherwood Bishop, Chair  
Ryan Thomason, Vice-Chair  
Bill De Soto  
Bill Taylor  
Curtis Seebeck  
Allen Shy  
Cecil Pounds (arrived 6:02)  
Jim Stark  
Randy Bryan (arrived 6:02)

**City Staff:**

Chuck Swallow, Director of Development Services  
John Foreman, Planner  
Sofia Nelson, Planner  
Phil Steed, Planner  
Francis Serna, Recording Secretary

**2. Call to Order and Announce a Quorum is Present.**

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Bishop at 6:00 p.m. on Tuesday May 26, 2009 in the Council Chambers, City Hall building of the City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Bishop welcomed the audience.

**4. Executive Session**

There were no discussions.

**5. Citizen Comment Period**

No one signed up to speak.

**6. CUP-09-07.** Hold a public hearing and consider a request by Nicholas Alutto for a Conditional use Permit to allow a defensive driving school at 122 S. Edward Gary.

John Forman advised the Commission that the applicant has requested to allow a comedy club and driving school at 122 S. Edward Gary which is located in the CBA – Central Business Area. He explained that a comedy club not serving alcohol is not listed in the LDC Land Use Matrix. Although, a Comedy Club is permitted by right, a defensive driving school requires a conditional use permit. He added that if alcohol sales are proposed in the future a conditional use permit is

required. Mr. Foreman stated that there are no major concerns. The Environmental Health Department has requested additional information regarding the types of food that will be served. He added that parking in the CBA is a concern, although there are no parking requirements in the CBA. He mentioned that the applicant has submitted a site plan showing 21 existing on-site parking spaces which are shared by with three other tenants. Mr. Foreman stated that the Commission may wish to condition the approval upon the applicant obtaining an agreement for the use of 17 spaces, either on the subject property or at a location nearby to avoid parking impact to the surrounding areas. Staff recommended approval of the conditional use permit to allow a defensive driving school at 122 S. Edward Gary with the conditions that the applicant receive all necessary building permits; the applicant provide information about the type of food and beverages sold to the satisfaction of the Environmental Health Department and that the defensive driving classes shall be held only on weekdays until such time as the applicant provides documentation to the Development Services Department showing 17 dedicated off-street parking spaces within 300 feet of the subject property

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

Chair Bishop explained that the proposed use will be a defensive driving school and other times a comedy club without defensive driving.

**MOTION:** Upon a motion made by Commissioner Taylor and a second by Commissioner Seebeck the Commission voted nine (9) for and none (0) opposed, to approve the Conditional Use Permit with the conditions that the applicant receive all necessary building permits and provide information about the types of food and beverages sold to the satisfaction of the Environment Health Department. The motion carried unanimously.

## **7. Hold a public hearing and discuss potential projects to include in the fiscal year 2010 through 2019 Capital Improvements Plan.**

Chuck Swallow, Director of Development Services explained that the Charter Requirement for Planning and Zoning Commission is to submit annually to the City Council, not less than one hundred and twenty days prior to the beginning of the fiscal year, a list of recommended capital improvements found necessary or desirable. He explained that since last year CIP, a new Capital Improvement Department has been created to implement the CIP. Mr. Swallow introduced David Healey, Director of the Capital Improvement Plan Department who is currently in the process of addressing the many different projects. He mentioned that nine projects are currently underway and Mr. Healey anticipates having sixteen projects underway by the end of the year. Mr. Swallow explained that the current CIP process is being abbreviated because of the amount of money in place to move forward on projects and update debt capacity for coming year and look closely at future CIP. As backlog is eliminated, we have another opportunity for public meetings and input during the Comprehensive Master Plan. Mr. Swallow announced that today's meeting, of May 26, 2009 is for a public hearing and discussion and the May 28, 2009, Special Meeting is scheduled for a recommendation to City Council from the Planning and Zoning Commission. He mentioned that the Department Heads were available to answer questions.

Chair Bishop opened the public hearing. Joan Heath, 2205 Garden Court, representing the Library Board, expressed the boards support for the expansion of the library. She explained that the Board reviewed the proposal and felt that the proposal was warranted because of the growth in the services and that the library is heavily used. Ms. Heath gave a brief summary of the Texas Public Library statistics and pointed out that San Marcos Public Library has double the visits per year than the state average. In addition, she stated that the library hosts many public events and triple the number of capita compared to other libraries in the State of Texas. She spoke in support of the Library Expansion Project and urged the Commission to consider the Library Expansion Project.

Ruth Jennings, 103 Chula Vista, resident of San Marcos for 40 years. She stated that she has served on the Library Board several times and is an avid supporter of the library. Ms. Jennings commented that she speaks from experience and that the tax assistance program as very well attended. She added that all age groups use the library. In addition, the library is full and jammed to the point that they have to stack books on existing shelves. She thanked the Commission.

Linda Coker, 1105A San Marcos Parkway, was previously on the Library Board for 4 years and currently the Labor Representative for the Central Texas Library System commented that she loves the library and is an avid reader. She pointed out that the library averages about 1000 visitors per day and that there are plenty of ongoing classes available for all ages. Ms. Coker stated that she is also on the Hays County Historic Commission and that they would love a larger San Marcos History section in the library. She invited the community to visit the library and take advantage of the amenities. Ms. Coker stated that she would appreciate the Commissioner's consideration.

Mike Hennessy, 104 Camaro Way, stated that he has been on the Library board for 3 months and has lived in San Marcos for 29 years. He pointed out that the library is a "public" library and is as close to what the City of San Marcos has to a town hall or town square for people to gather for different reasons. Mr. Hennessy stated that he does not know of a better place that money can be spent than a public facility as a public library. He said it is a place for all ages; teenagers hang out at the library and is the best place for teenagers to hang out than other places. He spoke in support of the Library Expansion Project. There were no additional citizen comments and the public hearing was closed.

Chair Bishop announced that the Commission will proceed with each department of the project summary sheets and that they may discuss and ask questions if necessary. The Commission proceeded as follows:

#### **Airport**

Commissioner Taylor commented that he is in support of the Airport Projects because the city usually only funds approximately 5% and recommended that the project move forward. There were no additional Commissioner comments.

#### **Drainage**

There were no comments from the Commission.

#### **Electric**

Chair Bishop thanked staff for providing the CIP Summary in advance. Commissioner Stark commented that he was in support of the Downtown Underground Lines and felt that other citizens would also be in support of the project. There were no additional Commissioner comments.

Chair Bishop moved Public Safety discussion before Park & Public Building because Interim Fire Chief, Len Nored had a prior commitment.

## **Public Safety**

Commissioner Shy inquired if Central Fire Station was relocated would a fire station remain downtown. Interim Fire Chief, Len Nored advised that the original idea was to move the downtown fire station to Carlson Circle. After studying the proposal to move the downtown station it was in their opinion to have a fire station downtown. He added that the final decision would be by City Council and to his knowledge it is being considered but that he did not have the final decision. There were no additional Commissioner comments.

## **Parks & Public Buildings**

Chair Bishop asked Ms. Langenkamp if she was comfortable with the 2012 schedule for the Library Expansion Design. Ms. Langenkamp stated she was comfortable with the design schedule. Commissioner Thomason and Seebeck expressed concerns with the costs of the library design. Stephanie Langenkamp explained that the numbers derived from costs done from the original library and are inflated by 6% for construction in 2014. She added that the project is in two parts, design and construction. Chair Bishop mentioned that the library is a very busy place with people of all ages. He commented that he is looking forward to the expansion of the library and for work to proceed. Commissioner DeSoto commented that the library is a valuable amenity to community. He spoke in support of the Library Expansion. The Commissioner asked if David McMillan and Rodney Cobb could be present at the May 28, 2009 CIP meeting. Commissioner Seebeck expressed concerns with the high costs of the River Bank Stabilization and the Habitat Conservation Plan. Chuck Swallow advised the Commission that staff will try and have David McMillan and Rodney Cobb at the next meeting to address concerns.

## **Streets**

Chair Bishop asked about the schedule for the reconstruction of N. LBJ. Commissioner DeSoto inquired about the bike-pedestrian expenditures. Tom Taggart, Director of Public Services, advised the Commission that Sabas Avila, Assistant Director of Transportation was at a Transportation Advisory Board meeting that was that widely publicized therefore could not be available. Mr. Taggart said that the reconstruction of N. LBJ is expected to be constructed within the next 12-18 months. He mentioned that he would have the information regarding the bike pedestrian expenditures by Thursday. Chair Bishop inquired how wide or if there will be a pedestrian bike underpass along the widening of Hunter between Bishop and Wonder World Drive. Tom Taggart explained that the engineering is ongoing on the project and that two lanes will be added. He commented that he is not familiar with the bike pedestrian underpass but could provide the information by Thursday. Commissioner Seebeck expressed concerns with the costs of the Aquarena Springs Overpass. Commissioner Stark expressed concerns regarding funding and wants accounting for what San Marcos taxpayers are paying. Chair Bishop mentioned that the City has hired a CIP Director and that the process will change in the future and that those issues can be addressed at that time. Commissioner Thomason asked who is responsible for verifying the costs of projects and bids. David Healey, Director of CIP stated that he is responsible for reviewing projects and funding. He mentioned that they currently have 9 projects underway and another 16 to begin. Mr. Healey added that he hopes to get all costs down and will see realignment of city services.

## **Technology**

Commissioner Stark inquired about the 1.5 million dollars for the Human Resources Information Management and Payroll System. Richard Stankiewicz, Chief Technology Officer explained that current Human Resources payroll system will no longer be supported by the vendor in October/November of 2009. In addition, the system will not have a maintenance contract, therefore no support or upgrades would be available. Mr. Stankiewicz explained that the costs reflect additional modules to interface with the oracle financials system that is currently used in Finance. The Commission asked if payroll could be outsourced. Mr. Stankiewicz explained that

they have not researched options to outsource the system, although he stated that their goal is to have the financial interface with the city's current system. He pointed out that if the system is outsourced, they would have to create new applications and incorporate into the oracle financials which will incur additional costs. In addition, he explained the security and network access to access the city system. The Commission expressed concerns regarding the cost of the HR Information Management and Payroll System. Chair Bishop explained that when a project is schedule, the project is usually over funded because it is easier to over fund than under fund. They suggested that the project be outsourced. David Healey commented that the CIP Department will review every purchase on the city wide perspective.

### **Wastewater**

Chair Bishop asked Mr. Taggart if the City is scheduled to extend wastewater lines to the newly annexed areas north of Sink Creek. Tom Taggart explained that the Sink Creek interceptor line is a multi phase project that would relieve lift station eleven and three other lift stations that are to the city's northwest. He said that the Sink Creek Interceptor is to relieve hydraulic overloading of the current system and provide additional capacity for undeveloped areas. Mr. Taggart gave a brief overview of the Sink Creek WW Phase II. There were no additional Commissioner comments.

### **Water**

There were no comments from the Commission.

Chuck Swallow gave an overview of the CIP Process and advised the Commission that their role as a Planning Commission is to make a recommendation of projects to the City Council. He stated that good questions were asked and that City Council will determine funding for the projects. Mr. Swallow stated that he will make an effort to have staff available on Thursday to answer additional questions. He also asked the Commission to consider the Comprehensive Master Plan in which they will hear additional comments in the coming 18 months. Mr. Swallow commented that the Commission to consider the CIP with the CMP in mind. There were no questions from the Commission.

Chair Bishop commented that in order for the Commission to have a public hearing and make a recommendation that they need to understand the projects and funding sources. He thanked all staff that was present and felt that alternates should have been present on behalf of those not able to attend.

## **8. Discussion Items.**

### **Planning Report**

Chuck Swallow announced that a new Assistant Director of Development Services- Planning will begin employment and will be introduced to the Commission at their next meeting.

### **Commissioners' Report**

There were no Commissioner's Reports.

9. Consider approval of the minutes from the Regular Meeting of May 12, 2009.

**MOTION:** Upon a motion made by Commissioner Thomason and a second by Commissioner Seebeck, the Commission voted eight (8) for, zero (0) opposed and one (1) abstained, to approve the Regular Meeting Minutes of May 12, 2009 with corrections. The motion carried. Commissioners Pounds abstained.

10. Questions and answers from the Press and Public.

There were no comments from the press and public.

11. Adjournment

Chair Bishop adjourned the regular meeting of the Planning and Zoning Commission at 7:37 p.m. on Tuesday, May 26, 2009.

  
Sherwood Bishop, Chair

  
Ryan Thomason, Commissioner

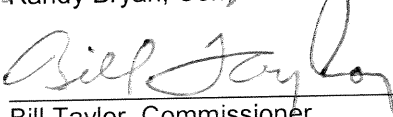
  
Allen Shy, Commissioner

  
Jim Stark, Commissioner

  
Bill DeSoto, Vice Chair

  
Randy Bryan, Commissioner

  
Curtis Seebeck, Commissioner

  
Bill Taylor, Commissioner

  
Cecil Pounds, Commissioner

ATTEST:  
  
Francis Serna, Recording Secretary